

2. The Amended Report and Recommendations (ECF No. 44) are fully
ACCEPTED;

3. The Motion to Dismiss Plaintiff's Complaint by CNX Gas Company
LLC (ECF No. 12) is GRANTED IN PART AND DENIED IN PART in accord
with the Amended Report and Recommendations;

4. The Motion to Dismiss Plaintiff's Complaint by Commonwealth Coal
Company (ECF No. 16) is GRANTED IN PART AND DENIED IN PART in
accord with the Amended Report and Recommendations; and

5. The Motion to Strike CNX Gas Company, LLC's Reply (ECF No. 57)
is GRANTED, such reply being unauthorized.

ENTER: September 28, 2011

/s/ James P. Jones
United States District Judge